



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
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NGB-ARH

27 June 2001

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES,
PUERTO RICO, GUAM, THE VIRGIN ISLANDS, AND THE COMMANDING
GENERAL OF THE DISTRICT OF COLUMBIA

SUBJECT: (All States Log Number P01-0022) Army National Guard (ARNG) Special
Branches Over-Grade Policy for Commissioned Officers

1. References:

a. Army Regulation (AR) 135-155, 1 Sep 94, Promotion of Commissioned Officers
and Warrant Officers, other than General Officers.

b. Army Regulation 140-10, 1 Sep 94, Assignments, Attachments, Details, and
Transfers.

c. National Guard Regulation (AR) 600-100, 15 Apr 94, Commissioned Officers,
Federal Recognition and Related Personnel Actions.

2. In Appendix A (enclosed), changes occurred in paragraphs 2, 5, 6, 7, and 8.
Paragraph 12, Federal Recognition, was replaced by a new paragraph 12, Deployment.

3. Appendix A outlines policy and guidance to assist in aligning officer inventory with
requirements. The new policy will also allow for better management and promotion of
officers assigned to the ARNG special branches of the Army Medical Department
(AMEDD), Chaplains Corps and Judge Advocate General's Corps.

4. When a State or Territory determines implementation will negatively impact
readiness, a written request for an exception to policy with full justification signed by the
Adjutant General, must be submitted to the National Guard Bureau, Human Resources
Policy and Programs Division, Officer Branch, (NGB-ARH-O) through the appropriate
special branch proponent. For example, a request for exception to policy for AMEDD
officers would be submitted through the National Guard Bureau Office of the Chief
Surgeon to NGB-ARH-O. Each request will be considered on a case-by-case basis.

5. This memorandum expires 30 June 2002, unless sooner rescinded or superceded.

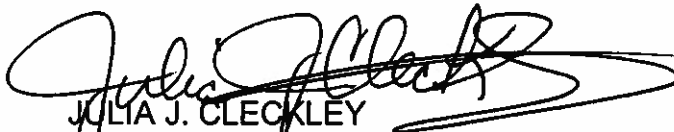
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6. Point of contact is Marybeth Tepper, Officer Policy Branch, Human Resources Policy and Programs Division, at DSN 327-3297 or 703-607-3297.

FOR THE CHIEF, NATIONAL GUARD BUREAU:

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Each State IG

Appendix A
Special Branches Over-Grade Policy

1. **Officer Strength Management and Accountability.** The State Military Personnel Officer (MILPO) is responsible for the management and accountability of all special branch ARNG officers assigned to either an M-Day or Active Guard Reserve (AGR) position. The M-Day officer must serve in an active drilling status. Special branch officers who have been in the Inactive National Guard (ING) for more than one year should be reviewed for return to active status or possible separation. Special branch officers currently assigned on the effective date of this policy will have one year to be in compliance with the provisions of this memorandum.

2. **Temporary Positions.** Effective with the release of this memorandum, any previously issued temporary positions (other than those for a General Officer) with an INDEFINITE date will expire. When a state/territory determines that a temporary position is still required, they must submit a request for a new temporary position with a start and fixed expiration date. All special branch officers previously authorized a temporary position with an expiration date may continue in their current assignment until the authorized expiration date. Requests for extensions of such positions will be reviewed on a case-by-case basis. However, upon expiration of the temporary position, the officer must be assigned to an authorized Modified Table of Organization and Equipment (MTOE) or Table of Distribution and Allowances (TDA) position IAW provisions of this memorandum or separated.

a. Temporary position requests for the Army Medical Department (AMEDD) officers will be forwarded to the Human Resources Policy and Programs Division, Officer Branch (NGB-ARH-O). These requests will be coordinated with Office of the Chief Surgeon, (NGB-ARS). Temporary positions for AMEDD officers should be requested for Medical/Dental Students, 600As, AMEDD officers pending loss within 365 days and soldiers attending the DoD Physician Assistant (PA) Program at Fort Sam Houston, Texas.

b. Temporary position requests for Chaplain (CH) officers will be forwarded to the Human Resources Policy and Programs Division, Officer Branch (NGB-ARH-O). These requests will be coordinated with the Office of Chief of Chaplains ARNG (NGB-ARZ-CH). Temporary positions for chaplain officers should be requested for Chaplain Candidates and Chaplain officers pending loss within 365 days.

c. Temporary position requests for Judge Advocate General (JAG) officers will be forwarded to the Human Resources Policy and Programs Division, Officer Branch (NGB-ARH-O). These requests will be coordinate with Office of Chief Counsel (NGB-JA). Temporary position for Judge Advocate General officers should be requested for JAG officers pending loss within 365 days.

3. Active Army Special Branch Officers. This policy applies to Active Army Special Branch Officers separating from the Active Component and joining the ARNG. These officers may remain in excess for up to three years from the date they join the ARNG or the effective date of this memorandum whichever is later. At that time they must be assigned to an authorized position within the guidelines of this memorandum or be separated.

4. Assignments. Priority for assignment of special branch officers must be to the officer holding the authorized grade and Area of Concentration (AOC) for the paragraph and line number on the MTOE or TDA. Assigning special branch officers against warrant officer or enlisted positions or assigning warrant officers and enlisted soldiers to special branch positions is not authorized. Improperly slotting these soldiers will lead to incentives for accession and retention being eliminated and/or recouped. It also presents an inaccurate picture of the readiness posture of the ARNG for the special branches. Special branch officers will be in positions that match their AOC (or in the case of Medical Service Corps officers, Medical Functional Area (MFA)), or in an authorized substitute position. Medical Service Officers (70 series) may occupy a basic branch position for up to three years with the intent of reclassifying to that branch.

5. Army Medical Department Officers. Once the assignment priority rule in paragraph 4 above has been applied, any remaining vacancies must be filled using the following requirements:

a. Medical Corps, Dental Corps, Physician Assistant (65D), Medical Service Corps (MS) (71-73 Series MFA and 67F AOC only) and Nurse Anesthetist (66F) officers in the rank of Lieutenant Colonel (LTC) or below may be assigned to positions one grade above, same grade, or two grades below if they are AOC/MFA qualified, to include the required Additional Skill Identifier (e.g. a LTC may fill a Colonel (COL) through Captain (CPT) position; a Major (MAJ) may fill a LTC to First Lieutenant (1LT) position).

b. Army Nurse Corps (AN) (except 66F), Veterinary Corps, Army Medical Specialist Corps except 65D, and MS officers (except 71-73 series MFA and 67F officers) may be assigned only to positions of the same grade, or positions one grade above the grade of the officer (e.g. a LTC may fill either a LTC or COL position; a MAJ may fill a MAJ or LTC position). All COL's must be in authorized COL positions. However, if a state/territory's lowest valid vacancy for MS or AN officers is a CPT's position, 2LTs of those branches may be accessed/assigned/retained in that CPT position of matching AOC/MFA.

6. Chaplain Corps (CH) officers. Once the assignment priority rule in paragraph 4 above has been applied, any remaining vacancies must be filled using the following requirements:

a. All CH Corps officers up to the grade of LTC may be assigned to CH positions of the same or higher grade or one grade below their current rank (e.g. a LTC Chaplain may fill a COL to MAJ position; a MAJ may fill a LTC to CPT position).

b. A CH COL will be assigned only to positions authorized for that grade.

c. All CH officers must be assigned to positions coded for AOC 56.

7. Judge Advocate General Corps (JAGC) officers. Once the assignment priority rule in paragraph 4 above has been applied, any remaining vacancies must be filled using the following requirements.

a. All JAGC officers up to the grade of LTC may be assigned to JAGC positions one grade above, same grade or one grade below (e.g. a LTC may fill a COL to MAJ position; a MAJ may fill a LTC to CPT position).

b. All JAGC COLs will be assigned only to positions authorized for that grade. If the state's authorized MTOE or TDA force structure does not provide for a COL position to serve as the State JAGC Officer, the State may appoint one COL to a LTC position for such duty with the written approval of NGB-ARH-O.

c. All JAGC officers must be assigned to positions coded for AOC 55, unless granted an exception by the Office of The Judge Advocate General (DAJA) and the Chief, National Guard Bureau (CNGB).

8. Promotions.

a. Promotions are not authorized for officers assigned to temporary positions.

b. Officers occupying over-grade positions on the effective date of this policy will not be reassigned to allow for another officer to be assigned and promoted over-grade unless promotions have been approved by NGB-ARH-O. AMEDD officers, (physicians and dentists only) selected for promotion by a mandatory board may be extended Federal recognition in the higher grade, regardless of the grade of the position. The specialty of the officer must match or be an authorized substitution for the position, IAW substitutability list published by NGB-ARH.

c. Promotions over-grade in any position as authorized by this policy requires selection by a DA Mandatory Board (e.g. a CPT placed in an authorized MAJ's position may be promoted by unit vacancy if otherwise qualified). However, a CPT in a CPTs position that is authorized over-grade under this policy may be promoted to MAJ only if that officer was selected by a DA Mandatory Board.

d. All Federal Recognition packets for special branch promotions will be staffed with the appropriate office (NGB-ARS/JA/CH) before processing by the National Guard Bureau Personnel Division, Officer Management Branch. All AMEDD officers, M-Day or AGR, will be reviewed by the Chief Surgeon, ARNG to ensure the officer has maintained current licensure, is physically fit IAW NGR 40-501, standards of Medical Fitness Army National Guard, 1 Sep 94, and meets medical personnel standards.

9. Reorganization and Inactivation. Officers in special branches who become excess due to unit reorganization or inactivation may be carried excess for up to one year from the date of reorganization or inactivation or the effective date of this policy, whichever is later. Officers not assigned to the unit at the time of inactivation may not be transferred into the unit after the inactivation date. At the end of the year, the officer must be placed in an authorized duty position meeting the requirements contained in this memorandum or be separated.

10. Transfer from the United States Army Reserve (USAR). Officers transferred to the USAR who are subsequently promoted to the next higher grade may not transfer back to the ARNG for one full year from the date of transfer unless assigned to a position of the same grade and AOC.

11. Separations.

a. Army National Guard officers transferred to the USAR should be informed that they may remain in the Individual Ready Reserve for up to two years and that Army Personnel Command will determine whether they are subsequently separated from Active Status.

b. Transfer of ARNG officers to the USAR under this policy should be coordinated with the USAR.

c. Under this over-grade policy is deemed eligible to apply for such benefits if otherwise qualified. All requests for such benefits must be forwarded to NGB-ARH-O to verify eligibility for Selected Reserve Transition Benefits and Temporary Early Retirement Authority under this program.

12. Deployability. Special branch officers must be worldwide deployable in order to be assigned or promoted overgrade.